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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : Paul F. Struhsaker, et al.  
U.S. Serial No. : 09/839,458  
Filed : April 20, 2001  
For : WIRELESS ACCESS SYSTEM USING MULTIPLE  
MODULATION FORMATS IN TDD FRAMES AND METHOD OF  
OPERATION  
Group No. : 2661  
Examiner : (Not Yet Assigned)

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Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The patents, publications and other information herein are listed below and on the attached Form PTO/SB/08. These references were located in a International Search Report issued in the related PCT Patent Application No. PCT/IB02/00629, a copy of which is attached hereto. Copies of the listed references are submitted herewith.

Foreign Patent No.

<u>PATENT NO.</u>	<u>COUNTRY</u>	<u>DATE</u>
WO 00/21157	PCT	April 13, 2000
EP 0 713 300	EPO	May 22, 1996
EP 0 848 515	EPO	June 17, 1998

Publications

ROMAN, V. I.; "FREQUENCY REUSE AND SYSTEM DEPLOYMENT IN LOCAL MULTIPOINT DISTRIBUTION SERVICE"; IEEE Personal Communications, IEEE Communications Society, US; vol. 6; no. 6; December 1999; pages 20-277; XP000880992

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: \_\_\_\_\_

*June 30, 2003*

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PTO/SB/08A (10-01)  
Approved for use through 10/31/2002. OMB 0651-0031  
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Substitute for form 1449A/PTO		<b>Complete if Known</b>	
		<b>Application Number</b>	09/839,458
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Filing Date</b>	April 20, 2001
		<b>First Named Inventor</b>	Paul F. Struhsaker, et al.
		<b>Art Unit</b>	2661
		<b>Examiner Name</b>	Not yet assigned
<b>Sheet</b>	1	<b>of</b>	2
		<b>Attorney Docket Number</b>	WEST14-00026

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	AA	WO 00/21157	04/13/2000	PCT		
	AB	EP 0 713 300	05/22/1996	EPO		
	AC	EP 0 848 515	06/17/1998	EPO		

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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